

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,

Defendants.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

**JOINT MOTION TO WITHDRAW OR DENY AS MOOT PLAINTIFF’S
MOTION TO STRIKE CERTAIN OPINIONS OF
DEFENDANTS’ EXPERT GLENN WOROCH (Dkt. No. 167)**

Plaintiff XR Communications, LLC (“Plaintiff”), Defendants AT&T Corp., AT&T Mobility LLC and AT&T Services, Inc., Verizon Communications, Inc., Cellco Partnership d/b/a Verizon Wireless, T-Mobile USA, Inc. and Intervenor Ericsson Inc. (collectively, “Defendants/Intervenor”) respectfully and jointly move the Court to withdraw or deny as moot Plaintiff’s Motion to Strike Certain Opinions of Defendants’ Expert Glenn Woroch (Dkt. No. 167) (“the Motion”).

On June 4, 2025, Plaintiff filed the Motion, seeking to strike opinion(s) included in paragraphs 14-18 of Mr. Woroch’s rebuttal reports. Defendants/Intervenor have agreed to withdraw the challenged paragraphs and opinion(s), thereby rendering Plaintiff’s Motion moot.

WHEREFORE, the Parties move to withdraw or deny as moot Plaintiff’s Motion to Strike, filed at Dkt. No. 167.

Dated: June 17, 2025

/s/ Jacob R. Buczko

Marc A. Fenster
mafenster@raklaw.com
Reza Mirzaie
rmirzaie@raklaw.com
Paul A. Kroeger
pkroeger@raklaw.com
Philip X. Wang
pwang@raklaw.com
Jacob R. Buczko
jbuczko@raklaw.com
James N. Pickens
jpickens@raklaw.com
Minna Y. Jay
mjay@raklaw.com
Christian W. Conkle
cconkle@raklaw.com
RUSS AUGUST & KABAT
12424 Wilshire Blvd., 12th Floor
Los Angeles, CA 90025
310-826-07474
Fax: 310-826-6991

*Attorneys for Plaintiff XR
Communications, LLC*

Respectfully submitted,

/s/ John R. Gibson

Deron R. Dacus (TBN 00790553)
ddacus@dacusfirm.com
THE DACUS FIRM, P.C.
821 ESE Loop 323, Suite 430
Tyler, Texas 75701
Telephone: 903.705.1117

Matthew S. Yungwirth
msyungwirth@duanemorris.com
Alice E. Snedeker
aesnedeker@duanemorris.com
John R. Gibson
jrgibson@duanemorris.com
DUANE MORRIS LLP
1075 Peachtree Street NE
Suite 1700
Atlanta, Georgia 30309
Telephone: 404.253.6900
Facsimile: 404.253.6901

Tyler Marandola
tmarandola@duanemorris.com
DUANE MORRIS LLP
30 S. 17th Street
Philadelphia, PA 19103
Telephone: (215) 979-1000

Elissa Sanford
esanford@duanemorris.com
DUANE MORRIS LLP
901 New York Avenue NW
Suite 700 East
Washington, D.C. 20001-4795
Telephone: (202) 776-5231

Counsel for Defendants / Intervenors

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for the parties met and conferred to discuss the substantive relief sought in this motion pursuant to Local Rule CV-7(h). The Parties are in agreement and are jointly seeking the relief sought in this motion.

/s/ John R. Gibson
John R. Gibson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on June 17, 2025.

/s/ John R. Gibson
John R. Gibson